IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 9002 of 2002

Between:

Sri Rama Laboratories Ltd., Registered under theCompanies Act, 1956, having office at Gundla MachanoorVillage, Medak District, rep., by its Managing Director,K.Sitaramareddy, s/o late Raja Reddy, aged about yearsR/o 7-1-401/A/25, sanjeevareddy Nagar, Hyderabad.

..... PETITIONER

AND

1.The A.P.State Finance Corporation, Hyderabad,

rep., by its Managing director.

2.The Senior Branch Manager, APSFC, Sangareddy,

Medak District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more in the nature of writ of Mandamus, declaring the action of the respondents in seizing the petitioner's factory for sale through their telegram dated 25-04-2002 as illegal, arbitrary and consequently direct the respondents to raise the seizure effected and release the unit and pass such other order or orders as are deem fit and proper in the interest of justice.

Counsel for the Petitioner: Mr.V.MANOHAR RAO

Counsel for the Respondent Nos.1 & 2: Mr G.N.Lohitha,SC for APSFC

The Court made the following :

ORDER:

This writ petition is filed by the petitioner invoking the jurisdiction of this Court under Article 226 of the Constitution of India seeking for a direction in the nature of writ of Mandamus, to declare the action of the respondents in seizing the petitioner's factory for sale through their telegram dated 25-04-2002 as illegal, arbitrary and consequently direct the respondents to raise the seizure effected and release the unit and pass such other order or orders as are deem fit and proper in the interest of justice.

When this writ petition is taken up for hearing, it is represented by the learned Standing counsel appearing on behalf of the respondents that the petitioner did not comply with the conditional order passed by this court in W.P.M.P.No.11150 of 2002 dated 07-05-2002 and in the meanwhile, the auction was already over. Therefore, the very cause in this writ petition does not survive for adjudication and as such, this writ petition has become infructuous.

Recording the same, the writ petition is dismissed as having become infructuous. No costs.

22-09-2004

rkk

To

1.The Managing Director, A.P.State Finance Corporation, Hyderabad,

2.The Senior Branch Manager, APSFC, Sangareddy,

Medak District.

3.Two CD copies.